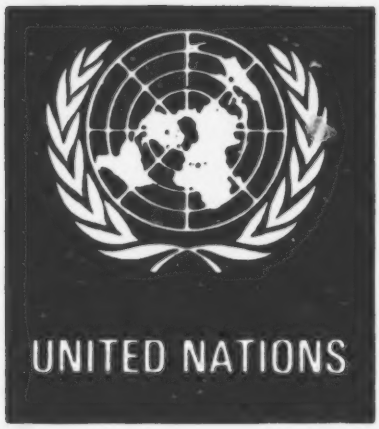

DIVISION FOR PALESTINIAN RIGHTS

December 1990

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I. ACTION TAKEN BY THE COMMITTEE ON THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE

On 18 December 1990, in a letter addressed to the Secretary-General (A/45/881-S/22012), the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People stated the following:

"In my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I wish to condemn the resumption by Israel, the occupying Power, of its policy of deporting Palestinians from the occupied Palestinian territory.

"According to The New York Times of 16 and 17 December 1990, the Israeli Defence Minister has ordered the deportation of four residents of the Gaza Strip suspected of being middle-ranking leaders of Hamas (the Islamic Resistance Movement). They are Imad al-Almi, 34 years old, of Gaza City; Fadel Zaabut, 36, a teacher at the Islamic College in Gaza City; Mustafa al-Lidani, 25, of Jabaliya refugee camp; and Sheik Mustafa Knuah, 45, also of Jabaliya. The deportations were ordered following the slaying of three Israeli workers in Jaffa on 14 December. No specific charges, however, have been brought against the four Palestinians. In its search for the perpetrators of the killing, the Israeli army is reported to have arrested more than 1,000 Palestinians in the West Bank and the Gaza Strip over the weekend, in the largest sweep since the early days of the intifadah.

"The New York Times also reported that the Israeli Defence Minister has pledged to deport more Palestinians from the occupied Palestinian territory in the future. Since the beginning of the intifadah, Israel has deported at least 59 Palestinians, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 and several resolutions of the Security Council.

"The Committee on the Exercise of the Inalienable Rights of the Palestinian People is gravely concerned at the escalation of violence in the occupied Palestinian territory and at the increasing imposition of collective punishment measures against the Palestinians by the Israeli authorities. Following the events in Jerusalem in early October, Israel has repeatedly closed the occupied Palestinian territory, preventing Palestinians from entering Israel and Jerusalem. On 20 November,

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the Jerusalem Post reported that 10,000 Palestinians previously jailed during the intifadah, would be issued green identity cards barring them permanently from entering Israel. According to the Washington Post of 15 December 1990, thousands of workers have been dismissed, and their jobs taken over by Jewish immigrants from the Soviet Union. Reuters reported on 21 November 1990 that military authorities were again stepping up punitive house demolitions, and that 11 houses had been destroyed and 8 sealed in the West Bank and Gaza Strip in the preceding two weeks. Al-Fajr of 3 December 1990 reported that four Palestinian universities in the West Bank and Gaza Strip, closed since the beginning of the intifadah, were ordered closed for another three months in early December. On 12 December 1990, it was reported by Ha'aretz that a new tactic had been adopted of stationing military sharpshooters in hidden places in the West Bank in order to shoot stone-throwers.

"These increasingly repressive measures are being taken against a background of total intransigence by the Israeli Government towards efforts to promote a just political settlement. The Committee on the Exercise of the Inalienable Rights of the Palestinian People strongly deplores statements made by Mr. Yitzhak Shamir, Prime Minister of Israel, in late November reportedly expressing his Government's commitment to the ideal of an Israeli State from the Mediterranean Sea to the Jordan River and linking the continuation of occupation with the need to absorb Jewish immigrants from the Soviet Union and elsewhere.

"In light of these very disturbing developments, the Committee wishes to reaffirm the imperative need to provide effective protection for the Palestinians in the occupied Palestinian territory and to promote a comprehensive, just and lasting settlement of the question of Palestine, the core of the Middle East conflict, through the convening of the International Peace Conference on the Middle East, as reaffirmed by the General Assembly in its resolution 45/68 of 6 December 1990."

In a subsequent letter dated 31 December 1990, addressed to the Secretary-General (A/45/911-S/22040), the Chairman of the Committee stated the following:

"In my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I wish to express anguish and outrage at the indiscriminate shooting and killing of Palestinian civilians and the brutal repression by Israel, the occupying Power, of Palestinian demonstrators.

"On 29 December 1990, the Associated Press reported that Israeli troops shot and killed five Palestinians in the occupied Gaza Strip in what was described as the "bloodiest" clash in Gaza since last May. The New York Times reported on 30 December that the toll of wounded Palestinians in the previous day could reach as many as 250, more than 100 of them in Rajah refugee camp.

"A day earlier, on 28 December 1990, the United Press International reported that three Palestinians, including a little child, were shot by unidentified gunmen near the Israeli settlement of Gush Etzion, north of Hebron.

"On 26 December 1990, Agence France Presse reported that Israeli troops shot and killed two Palestinians in the Gaza Strip.

"According to a recent report of the DataBase Project on Palestinian Human Rights the latest killings have brought the number of Palestinians killed since the beginning of the intifadah to more than 900.

"On behalf of the Committee, I wish to condemn the indiscriminate killing and injuring of Palestinian demonstrators by the Israeli army, in its efforts to suppress the intifadah. These policies and practices once again confirm that Israel, the occupying Power, continues to violate its obligations under the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, and persistently disregards the provisions of Security Council resolutions.

"The Committee wishes to stress once again the imperative need to provide effective protection for the Palestinian civilians in the occupied Palestinian territory and to promote a comprehensive, just and lasting settlement of the question of Palestine, the core of the Middle East conflict, through the convening of the International Peace Conference on the Middle East, as reaffirmed by the General Assembly in its resolution 45/68 of 6 December 1990."

II. SECURITY COUNCIL UNANIMOUSLY ASKS SECRETARY-GENERAL FOR URGENT NEW EFFORTS TO MONITOR PALESTINIAN CIVILIANS' SITUATION UNDER ISRAELI OCCUPATION

At its resumed 2970th meeting on 20 December 1990, the Council adopted the following resolution: [See S/RES/681 (1990)]

"The Security Council,

"Reaffirming the obligations of Member States under the Charter of the United Nations,

"Reaffirming also the principle of the inadmissibility of the acquisition of territory by war set forth in Security Council resolution 242 (1967) of 22 November 1967,

"Having received the report of the Secretary-General submitted in accordance with Security Council resolution 672 (1990) of 12 October 1990 on ways and means of ensuring the safety and protection of the Palestinian civilians under Israeli occupation, and taking note in particular of paragraphs 20 to 26 thereof,

"Taking note of the interest of the Secretary-General to visit and send his envoy to pursue his initiative with the Israeli authorities, as indicated in paragraph 22 of his report, and of their recent invitation extended to him,

"Gravely concerned at the dangerous deterioration of the situation in all the Palestinian territories occupied by Israel since 1967, including Jerusalem, and at the violence and rising tension in Israel,

"Taking into consideration the statement made by the President of the Security Council on 20 December 1990 concerning the method and approach for a comprehensive, just and lasting peace in the Arab-Israeli conflict,

"Recalling its resolutions 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of July 1989 and 641 (1989) of 30 August 1989, and alarmed by the decision of the Government of Israel to deport four Palestinians from the occupied territories in contravention of its obligations under the Fourth Geneva Convention, of 1949,

"1. Expresses its appreciation to the Secretary-General for his report;

"2. Expresses its grave concern over the rejection by Israel of Security Council resolutions 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990;

"3. Deplores the decision by the Government of Israel, the occupying Power, to resume the deportation of Palestinian civilians in the occupied territories;

"4. Urges the Government of Israel to accept the de jure applicability of the Fourth Geneva Convention, of 1949, to all the territories occupied by Israel since 1967 and to abide scrupulously by the provisions of the said Convention;

"5. Calls upon the high contracting parties to the Fourth Geneva Convention, of 1949, to ensure respect by Israel, the occupying Power, for its obligations under the Convention in accordance with article 1 thereof;

"6. Requests the Secretary-General, in co-operation with the International Committee of the Red Cross, to develop further the idea expressed in his report of convening a meeting of the high contracting parties to the Fourth Geneva Convention and to discuss possible measures that might be taken by them under the Convention and for this purpose to invite the parties to submit their views on how the idea could contribute to the goals of the Convention, as well as on other relevant matters, and to report thereon to the Council;

"7. Also requests the Secretary-General to monitor and observe the situation regarding Palestinian civilians under Israeli occupation, making new efforts in this regard on an urgent basis, and to utilize and designate or draw upon the United Nations and other personnel and resources present there, in the area and elsewhere, needed to accomplish this task and to keep the Security Council regularly informed;

"8. Further requests the Secretary-General to submit a first progress report to the Security Council by the first week of March 1991 and every four months thereafter, and decides to remain seized of the matter as necessary."

At the same meeting, the President made the following statement on behalf of the Council:

"The members of the Security Council reaffirm their determination to support an active negotiating process in which all relevant parties should participate, leading to a comprehensive, just and lasting peace to the Arab-Israeli conflict through negotiations which should be based on

resolutions 242 (1967) and 338 (1973) of the Security Council and which should take into account the right to security of all States in the region, including Israel, and the legitimate political rights of the Palestinian people.

"In this context they agree that an international conference, at an appropriate time, properly structured, should facilitate efforts to achieve a negotiated settlement and lasting peace in the Arab-Israeli conflict.

"However, the members of the Council are of the view that there is not unanimity as to when would be the appropriate time for such a conference.

"In the view of the members of the Council, the Arab-Israeli conflict is important and unique and must be addressed independently, on its own merits." [see S/PV. 2970) (part II)]

III. CONSIDERATION OF THE QUESTION OF PALESTINE AT THE FORTY-FIFTH SESSION OF THE GENERAL ASSEMBLY

On 29 November 1990 the General Assembly took up consideration of the question of Palestine.

The agenda item was introduced by the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. The Rapporteur of the Committee then introduced its annual report. The full texts of both statements are presented below: (See A/45/PV.49, pp. 2-18)

Statement by the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People

"It is an honour and a privilege for me in my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to address the General Assembly once again for the purpose of introducing this most important agenda item, 'Question of Palestine'.

"In my statement to the Assembly a year ago I appealed to the international community on behalf of all children - not only Palestinian children, but also Israeli children - and said that ultimately it was for their sake and the sake of all children that we must not fail in our efforts to achieve peace, so that they might be able finally to enjoy the peaceful and just world that was their right, not simply theirs by virtue of existing conventions.

"On 30 September 1990, 71 Heads of State or Government, assembled at the World Summit for Children, jointly undertook the noble commitment to 'giving every child a better future'. Recognizing the dangers faced by children through conflict, foreign occupation, poverty and abuse, they expressed their determination to take political action at the highest level to ensure tne well-being of all children.

"The annual report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, which Ambassador Borg Olivier, Permanent Representative of Malta to the United Nations and Rapporteur of the Committee, will introduce shortly, contains many details on developments during the reporting year. One figure in particular stands out: since the beginning of the intifadah almost three years ago about one quarter of the casualties have been children. By the end of September, 218 children under 16

had been killed by gunfire, beatings or other actions of the Israeli authorities, including more than 30 infants killed by tear-gas. Tens of thousands of children have been injured. Thousands more, some of them no more than five years of age, have been detained, and there have been numerous reports of their mistreatment. Moreover, more than half a million children have suffered major disruption of their education owing to the prolonged closure of educational institutions, from kindergarten to university level, and because of incidents that constantly disrupt classes when schools at last re-open.

"These figures are particularly disturbing because they show excessive and unjustified use of force by the Israeli authorities, in particular against children, the most precious resource of any nation; they show clearly that the occupying Power is trying not simply to restore law and order in the occupied territory, as the Israeli authorities claim, but rather to suppress an entire people, including its most vulnerable element.

"The fact that the occupying Power finds it necessary to shoot, use tear-gas against and detain children in order to guarantee its own security is clear proof that security does not lie in the occupation of territory. On the contrary, as our Committee has repeatedly warned over the years, military occupation will remain a permanent source of instability and violence because it has to be maintained by armed force, thus resulting in dispossession, the denial of fundamental human rights and, at the same time, growing resistance on the part of the Palestinian population. Only a comprehensive settlement based on respect for international legality, recognition of the interests of all the parties concerned, and appropriate international guarantees can provide real and permanent security.

"Our Committee is extremely concerned that the situation in the occupied Palestinian territory has reached an impasse, and this makes it all the more dangerous. since 1947, when the General Assembly adopted resolution 181 (II), innumerable efforts have been made through a variety of mechanisms to reach an equitable solution to the fundamental problem of how the territory of historic Palestine should be shared between its two communities, the Jews and the Palestinian Arabs. Gradually a consensus has emerged on the fundamental elements of such a solution, as spelled out in resolution 44/42 of 6 December 1989, which members will recall was adopted by an unprecedented majority of 151 votes in favour. They include the withdrawal of Israel from the

Palestinian territory occupied since 1967, including Jerusalem, and from the other occupied territories; guaranteeing arrangements for the security of all States in the region, including those named in the partition resolution, within secure and internationally recognized boundaries; and the recognition and attainment of the legitimate national rights of the Palestinian people, primarily the right to self-determination.

"There was some hope then that after so many years of multilateral and bilateral efforts the peace process would finally move forward. The Palestinian peace initiative and the declaration in November 1988 of an independent Palestinian State, and the subsequent diplomatic moves, including various proposals advanced by some of the parties, appeared to have brought us to a turning-point. Israel, however, has shown complete intransigence. It has refused to respond to the Palestinian initiative. It remains adamantly opposed to the convening of the International Peace Conference on the Middle East, which continues to be the avenue favoured by the vast majority of Member States.

"As a result, the peace process has been blocked. Unfortunately, the Security Council has thus far been unable to take any steps towards the convening of the peace conference because of the opposition of a permanent member. Years have elapsed in these fruitless efforts, and all the appeals of our Committee and of many others have not had the desired result. The current crisis in the Gulf has greatly raised the level of tension in the region and further complicated efforts to promote a peaceful settlement. We believe, however, that recent developments have made it increasingly clear that the International Peace Conference, with the participation of all parties concerned on an equal footing and resulting in adequate security guarantees for all States in the region, is the most constructive proposal advanced so far and the one that is most likely to lead to positive results. I would like to emphasize that progress towards a solution of the question of Palestine would greatly contribute to a comprehensive settlement of the Middle East conflict.

"For its part, our Committee has spared no effort in promoting the convening of the conference and in bringing together people of good will from all sides - Palestinians, Israelis, Jews and other people from all regions - for a consideration of the relevant issues in a constructive and concrete manner. In the course of the past year the Committee has carried out an intensive programme of meetings

in various regions with a view to mobilizing official and public opinion in pursuit of these objectives and to creating a climate which could contribute to a peaceful settlement of the question of Palestine.

"Regional seminars were held jointly with symposia of non-governmental organizations for the Asian region in Kuala Lumpur, for the Latin America and Caribbean region in Buenos Aires, for the African region in Freetown and for the North American region in New York. In addition, a European seminar was held in Stockholm and a symposium of European non-governmental organizations and an international meeting of non-governmental organizations were held at the United Nations Office at Geneva.

"I would like here to thank once again the Governments of Malaysia, Argentina, Sierra Leone and Sweden for providing venues for those important events and for the unstinting support they gave the Committee in its work. The Committee was greatly encouraged by the seriousness of purpose of the participants in the various meetings and the support they demonstrated for United Nations recommendations for achieving a just settlement of the question of Palestine. The Committee intends to carry out its work along the same lines in the coming year.

"It is essential now that Israel be made to understand that the interests of peace in the region, as well as its own best interests, require that it change its unbending position. Many Israelis from different segments of the political spectrum have come to recognize this necessity and to accept that Palestinians have national rights which need to be realized if there is to be peace in the region. We once again urge the Israeli Government to join the international consensus before the situation degenerates into uncontrollable violence and intercommunal, even inter-religious, strife.

"Unfortunately, recent events provide an ominous warning of what might be lying ahead. Since last May, when a former Israeli soldier firing at random murdered eight Palestinian workers from Gaza, the level of violence has escalated in the most alarming manner. The latest incident, the massacre of over 20 Palestinians at the Haram al-Shareef in Jerusalem, has been condemned by the Security Council and by the international community as a whole.

"Ten years ago, at the seventh emergency special session of the General Assembly, my predecessor as Chairman of the Committee had some prophetic words. He said,

'a fire that is not quenched must spread. A benign cancer that is not treated spreads, and becomes incurable and then fatal.'

"Many tragic events have taken place since then, causing the loss of many lives. Yet the unprecedented political developments of the past year, and in particular the affirmation of the primacy of international law and the advent of an era of partnership in place of rivalry, have opened up unprecedented possibilities for the peaceful resolution of regional conflicts. Our Committee believes that the majority of the Israeli people want to live in peace and to build a better future for their children, just as the Palestinians do.

"We are persuaded that wisdom and statesmanship will prevail and that a peaceful solution of the question of Palestine, the core of the Arab-Israeli conflict in the Middle East, will be achieved. We pledge ourselves to continue to work towards that objective to the best of our abilities."

Statement by the Rapporteur of the Committee

"On this day when the international community formally commemorates its solidarity with the Palestinian people it is an honour and a privilege for me in my capacity as Rapporteur to present to the General assembly the 1990 report (A/45/35) of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

"In 1990 the Committee, under the able guidance of its Chairman, Her Excellency Ambassador Absa Claude Diallo, diligently carried out its mandate on the basis of the resolutions adopted by the General Assembly. The report stresses the Committee's concern over the dangerous stalemate that has developed, notwithstanding the efforts to promote peace, and over the grave deterioration of the situation in the Palestinian territory occupied since 1967 as a result of the escalating Israeli repression of the intifadah. It stresses the urgency of taking measures for the protection of the Palestinian people and for the convening of the International Peace Conference on the Middle East in accordance with General Assembly resolution 44/42, and expresses the firm view that the Security Council

should show the same resoluteness in dealing with the question of Palestine as it has manifested in the case of the crisis in the Gulf.

"Chapters II and III of the report are procedural and summarize the respective mandates of the Committee, the Division for Palestinian Rights and the Department of Public Information; they also give information on the organization of the work of the Committee.

"The action taken by the Committee in 1990 is described in chapter IV of the report. In section A.1, which reviews the situation, the Committee has noted with deep concern that in its efforts to suppress the intifadah Israel has continued to resort to the use of often excessive and indiscriminate force, including shooting of demonstrators, intensive use of tear-gas and the severe beating of detainees. The Committee has monitored the situation in the Palestinian territory occupied since 1987 on an ongoing basis through the media and the reports of United Nations organs and agencies as well as through information collected by Governments, non-governmental organizations, individual experts and persons from Israel and the Palestinian territory occupied since 1967 who participated in meetings held under the auspices of the Committee and other sources. As of 31 October 1990, according to the DataBase Project on Palestinian Human Rights, the total number of Palestinians killed since the beginning of the intifadah by Israeli armed forces, armed settlers, civilians and collaborators was 876 identified cases, of which 25 per cent were children under the age of 16. The Committee has noted with indignation that Israeli forces had indiscriminately used firearms against Palestinians in the precincts of Al Haram Al Shareef in Jerusalem on 8 October 1990, which resulted in the deaths of over 20 Palestinians and the wounding of over 125 others.

"In this section of its report, the Committee also takes note of the fact that Israeli occupation authorities continue to resort to a variety of harsh measures and collective punishments in their efforts to suppress the intifadah.

"Section A.2 (a) refers to the letters sent by the Chairman of the Committee to the Secretary-General and the President of the Security Council drawing their attention to specific incidents of particular gravity. Since those letters have been circulated as documents of the General Assembly and the Security Council, they have not been summarized in the report, in an effort to make it more

concise. Instead, all documentary references have been provided.

"In addition, the Committee has followed closely the activities of the Security Council on matters related to the Committee's mandate and has participated in Council debates, as necessary, as reflected in section A.2 (b).

"In its programme of work, the Committee once again decided to continue to give the utmost priority to promoting the early convening of the International Peace Conference on the Middle East in accordance with General Assembly resolution 44/42 of 6 December 1989 in all its activities during 1990. Its efforts in this regard are detailed in section A.3. The Committee also decided to stress the urgent need for ensuring the safety and protection of Palestinians under Israeli occupation in accordance with the provisions of the Fourth Geneva Convention. The Committee was greatly encouraged by the overwhelming international support for its objectives and by the intensification of efforts among the international community in favour of a just and lasting settlement of the question of Palestine, as reflected, in particular, in the recommendations adopted by the regional seminars and by symposia and meetings of non-governmental organizations on the question of Palestine organized under the auspices of the Committee. Those recommendations are annexed to the report of the Committee.

"Section A.4 contains a list of international conferences and meetings at which the Committee was represented because of their particular relevance to its work.

"Section A.5 contains a list of documents relating to action on the question of Palestine taken by United Nations bodies, the Movement of Non-Aligned Countries and intergovernmental organizations. The documents give an indication of the intensity of international concern regarding the current situation and of support for the Committee's objectives for the achievement of a comprehensive, just and lasting solution to the question of Palestine.

"Section B describes the activities of the Division for Palestinian Rights, organized in consultation with the Committee and under its guidance, in implementation of the mandates contained in General Assembly resolutions 44/41 A and B. Section B.1 contains an account of the regional seminars held under the Committee's auspices. Four seminars

were held in Asia, Latin America and the Caribbean, Africa, Europe and North America, respectively.

"The Committee was greatly encouraged by the active participation in the seminars of prominent political personalities, parliamentarians, policy-makers and other experts, including Israelis and Palestinians. The Committee expressed satisfaction that the seminars had made a positive contribution to peace efforts by providing a forum for a balanced and constructive discussion of all the issues. It noted that the seminar participants had adopted conclusions and recommendations expressing support for the Committee's objectives for a peaceful settlement of the question of Palestine, particularly through the 'Two peoples, two States' formula and the convening of the International Peace Conference on the Middle East. It further noted the request that the Committee continue to ensure that regional seminars provide an opportunity for diverse points of view to be expressed so that a meaningful dialogue could be held among people of good will on all sides.

"Section B.2 describes the activities organized by the Committee in its continuing efforts to expand its contacts with non-governmental organizations and to co-operate with them in their contribution to heightening international awareness of the facts relating to the question of Palestine. Five regional symposia for non-governmental organizations were held in Asia, Latin America and the Caribbean, Africa, North America and Europe, and an international meeting of those organizations was also held at Geneva.

"The Committee was greatly encouraged by the intensification of activities and programmes of the non-governmental organizations, including the sending of fact-finding missions to the area, the promotion of joint activities between Israelis and Palestinians and the provision of assistance and various other activities aimed at heightening public awareness and promoting a peaceful settlement. The Committee noted with satisfaction the continuing and growing involvement of Israeli organizations and Jewish organizations in North America and Western Europe in these efforts.

"It also noted that the regional symposia and the international meetings of non-governmental organizations had adopted declarations expressing the full support of the non-governmental organizations for the objectives and activities of the United Nations to ensure a peaceful

settlement of the question of Palestine and reaffirming the commitment of the non-governmental organizations to intensify further their efforts in this direction.

"Sections B.3 and B.4 contain information on the activities of the Division for Palestinian Rights in the field of information and publications and on the commemoration of the International Day of Solidarity with the Palestinian People.

"Chapter V of the report covers the work of the Department of Public Information in accordance with General Assembly resolution 44/41 C, including the publications and audiovisual activities of that Department and journalists' encounters and news missions to the area.

"Chapter VI, the last chapter of the report, contains the recommendations of the Committee. These recommendations take into account developments since the last session of the General Assembly. In this Chapter the Committee has expressed its disquiet over the prospects for peace in view of Israel's continued intransigence and policy of armed repression of the intifadah and the serious threat of armed confrontation caused by the Gulf crisis. It calls for international attention to remain focused on the need to resolve the question of Palestine in spite of recent developments, and it appeals to the Security Council to take concrete and effective action towards resolving the Arab-Israeli conflict, the core of which is the question of Palestine. The Committee also reaffirms the international consensus that the participation of the Palestine Liberation Organization on an equal footing is indispensable in any efforts and deliberations aimed at the achievement of a lasting peace in the Middle East.

"The Committee recalls its original recommendations, which are once again annexed to the report. It reaffirms the principles for the achievement of a comprehensive peace contained in resolution 44/42 of 6 December 1989. It also expresses deep regret at Israel's rejection of the constructive proposals contained in that resolution and calls on those States that have thus far prevented its implementation to join the international consensus. The Committee calls upon the General Assembly to urge the Security Council, and in particular its permanent members, to consider measures needed to convene the International Peace Conference on the Middle East. It also urges the Council to address the question of Palestine with the same urgency and determination shown in addressing other

important matters of concern to the international community. The Committee has also decided to continue to intensify its efforts towards the convening of the International Peace Conference and to give the utmost priority to that goal in its programme of work for next year.

"The Committee then once again urges that all necessary measures be taken immediately to protect the Palestinian people in the Palestinian territory occupied since 1967, including Jerusalem. It calls on the Security Council to establish urgently an effective United Nations presence with a legal mandate to protect the Palestinians. In this regard the Committee endorses the proposed establishment by the Security Council of a United Nations observer force. It also calls on the Security Council to consider again with urgency the matter of Israeli settlements in the occupied territories and to take appropriate measures to deal with the situation.

"Finally, the Committee reaffirms the duty and responsibility of the United Nations to provide all necessary assistance to ensure the economic development of the Palestinian territory occupied since 1967, including Jerusalem, in preparation for the attainment of national sovereignty in accordance with the relevant United Nations resolutions. The Committee also calls for an increase in international economic and social assistance to the Palestinian people in close co-operation with the Palestine Liberation Organization.

"The report I have just described reflects the sincere commitment of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to finding ways and means to achieve a just and lasting peaceful settlement to the Arab-Israeli conflict - and to the question of Palestine in particular - in all its aspects, a just settlement that will permit the Palestinian people to realize their aspirations and that respects and guarantees the legitimate needs and interests of all sides."

Note: All resolutions and decisions adopted by the General Assembly and the Security Council in 1990 relating to the question of Palestine will be issued in due course as a document in the series A/AC.183.

IV. ADOPTION BY THE GENERAL ASSEMBLY OF RESOLUTIONS ON THE QUESTION OF PALESTINE

The following resolutions on the question of Palestine were adopted by the General Assembly at its 59th plenary meeting on 6 December 1990.

45/67. Question of Palestine

A

"The General Assembly,

"Recalling its resolutions 181 (II) of 29 November 1947, 194 (III) of 11 December 1948, 3236 (XXIX) of 22 November 1974, 3375 (XXX) and 3376 (XXX) of 10 November 1975, 31/20 of 24 November 1976, 32/40 of 2 December 1977, 33/28 of 7 December 1978, 34/65 A and B of 29 November 1979 and 34/65 C and D of 12 December 1979, ES-7/2 of 29 July 1980, 35/169 of 15 December 1980, 36/120 of 10 December 1981, ES-7/4 of 28 April 1982, 28/58 A of 13 December 1983, 39/49 A of 11 December 1984, 40/96 A of 12 December 1985, 41/43 A of 2 December 1986, 42/66 A of 2 December 1987, 43/175 A of 15 December 1988 and 44/41 A of 6 December 1989,

"Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, 1/

"1. Expresses its appreciation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts in performing the tasks assigned to it by the General Assembly;

"2. Endorses the recommendations of the Committee contained in paragraphs 93 to 102 of its report 1/ and draws the attention of the Security Council to the fact that action on the Committee's recommendations, as repeatedly endorsed by the General Assembly at its thirty-first session and subsequently, is still awaited;

1/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 35 (A/45/35).

"3. Requests the Committee to continue to keep under review the situation relating to the question of Palestine as well as the implementation of the Programme of Action for the Achievement of Palestinian Rights 2/ and to report and make suggestions to the General Assembly or the Security Council, as appropriate;

"4. Authorizes the Committee to continue to exert all efforts to promote the implementation of its recommendations, including representation at conferences and meetings and the sending of delegations, to make such adjustments in its approved programme of seminars and symposia and meetings for non-governmental organizations as it may consider necessary, to give special emphasis to the need to mobilize public opinion in Europe and North America, and to report thereon to the General Assembly at its forty-sixth session and thereafter;

"5. Requests the Committee to continue to extend its co-operation to non-governmental organizations in their contribution towards heightening international awareness of the facts relating to the question of Palestine and creating a more favourable atmosphere for the full implementation of the Committee's recommendations, and to take the necessary steps to expand its contacts with those organizations;

"6. Requests the United Nations Conciliation Commission for Palestine, established under General Assembly resolution 194 (III), as well as other United Nations bodies associated with the question of Palestine, to continue to co-operate fully with the Committee and to make available to it, at its request, the relevant information and documentation which they have at their disposal;

"7. Decides to circulate the report of the Committee to all the competent bodies of the United Nations and urges them to take the necessary action, as appropriate, in accordance with the Committee's programme of implementation;

"8. Requests the Secretary-General to continue to provide the Committee with all the necessary facilities for the performance of its tasks."

2/ Report of the International Conference on the Question of Palestine, Geneva, 29 August - 7 September 1983 (United Nations publication, Sales No. E.83.I.21), chap. I, sect. B.

B

"The General Assembly,

"Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, 1/

"Taking note, in particular, of the relevant information contained in paragraphs 52 to 78 of that report,

"Recalling its resolutions 32/40 B of 2 December 1977, 33/28 C of 7 December 1978, 34/65 D of 12 December 1979, 35/169 D of 15 December 1980,36/120 B of 10 December 1981, 37/86 B of 10 December 1982, 38/58 B of 13 December 1983, 39/49 B of 11 December 1984, 40/96 B of 12 December 1985, 41/43 B of 2 December 1986, 42/66 B of 2 December 1987, 43/175 B of 15 December 1988 and 44/41 B of 6 December 1989,

"1. Takes note with appreciation of the action taken by the Secretary-General in compliance with General Assembly resolution 44/41 B;

"2. Requests the Secretary-General to provide the Division for Palestinian Rights of the Secretariat with the necessary resources and to ensure that it continues to discharge the tasks detailed in paragraph 1 of General Assembly resolution 32/40 B, paragraph 2 (b) of resolution 34/65 D, paragraph 3 of resolution 36/120 B, paragraph 3 of resolution 38/58 B, paragraph 3 of resolution 40/96 B, paragraph 2 of resolution 42/66 B and paragraph 2 of resolution 44/41 B, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and under its guidance;

"3. Also requests the Secretary-General to ensure the continued co-operation of the Department of Public Information and other units of the Secretariat in enabling the Division for Palestinian Rights to perform its tasks and in covering adequately the various aspects of the question of Palestine;

"4. Invites all Governments and organizations to lend their co-operation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Division for Palestinian Rights in the performance of their tasks;

1/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 35 (A/45/35).

"5. Takes note with appreciation of the action taken by Member States to observe annually on 29 November the International Day of Solidarity with the Palestinian People."

C

"The General Assembly,

"Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, 1/

"Taking note, in particular, of the information contained in paragraphs 79 to 92 of that report,

"Recalling its resolutions 44/41 C and 44/42 of 6 December 1989,

"Convinced that the world-wide dissemination of accurate and comprehensive information and the role of non-governmental organizations and institutions remain of vital importance in heightening awareness of and support for the inalienable rights of the Palestinian people to self-determination and to the establishment of an independent sovereign Palestinian State,

"1. Takes note with appreciation of the action taken by the Department of Public Information of the Secretariat in compliance with General Assembly resolution 44/41 C;

"2. Requests the Department of Public Information, in full co-operation and co-ordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to continue its special information programme on the question of Palestine for the remainder of the biennium 1990-1991, with particular emphasis on public opinion in Europe and North America and, in particular:

(a) To disseminate information on all the activities of the United Nations system relating to the question of Palestine, including reports of the work carried out by the relevant United Nations organs;

(b) To continue to issue and update publications on the various aspects of the question of Palestine, including Israeli violations of the human rights of the Palestinian people and

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1/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 35 (A/45/35).

other Arab inhabitants of the occupied territories as reported by the relevant United Nations organs;

(c) To expand its audio-visual material on the question of Palestine, including the production of such material;

(d) To organize and promote fact-finding news missions for journalists to the area, including to the occupied territories;

(e) To organize regional and national encounters for journalists."

45/68. International Peace Conference on the Middle East

"The General Assembly,

"Having considered the report of the Secretary-General of 12 November 1990, 1/

"Having heard the statement made on 29 November 1990 by the chairman of the observer delegation of Palestine, 2/

"Stressing that achieving a comprehensive settlement of the Middle East conflict, the core of which is the question of Palestine, will constitute a significant contribution to international peace and security,

"Aware of the overwhelming support for the convening of the International Peace Conference on the Middle East,

"Noting with appreciation the endeavours of the Secretary-General to achieve the convening of the Conference,

"Preoccupied by the increasingly serious situation in the occupied Palestinian territory as a result of persistent policies and practices of Israel, the occupying Power, and by the continuing lack of progress in achieving peace in the Middle East,

"Aware of the ongoing uprising (intifadah) of the Palestinian people since 9 December 1987, aimed at ending Israeli occupation of Palestinian territory occupied since 1967,

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1/ A/45/709-S/21929.

2/ See A/45/PV.49.

"1. Reaffirms the urgent need to achieve a just and comprehensive settlement of the Arab-Israeli conflict, the core of which is the question of Palestine;

"2. Calls once again for the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the Palestine Liberation Organization, on an equal footing, and the five permanent members of the Security Council, based on Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 and the legitimate national rights of the Palestinian people, primarily the right to self-determination;

"3. Reaffirms the following principles for the achievement of comprehensive peace:

(a) The withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and from the other occupied Arab territories;

(b) Guaranteeing arrangements for security of all States in the region, including those named in resolution 181 (II) of 29 November 1947, within secure and internationally recognized boundaries;

(c) Resolving the problem of the Palestine refugees in conformity with General Assembly resolution 194 (III) of 11 December 1948, and subsequent relevant resolutions;

(d) Dismantling the Israeli settlements in the territories occupied since 1967;

(e) Guaranteeing freedom of access to Holy Places, religious buildings and sites;

"4. Notes the expressed desire and endeavours to place the Palestinian territory occupied since 1967, including Jerusalem, under the supervision of the United Nations for a limited period, as part of the peace process;

"5. Once again invites the Security Council to consider measures needed to convene the International Peace Conference on the Middle East, including the establishment of a preparatory committee, and to consider guarantees for security measures agreed upon by the Conference for all States in the region;

"6. Requests the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security

Council, to facilitate the convening of the Conference, and to submit progress reports on developments in this matter."

45/69. The uprising (intifadah) of the Palestinian people

"The General Assembly,

"Aware of the uprising (intifadah) of the Palestinian people since 9 December 1987 against Israeli occupation, which has received significant attention and sympathy from world public opinion,

"Deeply concerned at the alarming situation in the Palestinian territory occupied since 1967, as a result of the continued occupation by Israel, the occupying Power, and of its persistent policies and practices against the Palestinian people,

"Reaffirming that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 1/ is applicable to the Palestinian territory occupied by Israel since 1967, including Jerusalem, and to the other occupied Arab territories,

"Expressing its profound shock at the continued measures by Israel, the occupying Power, including the killing and wounding of Palestinian civilians, and at the recent acts of violence committed by the Israeli security forces, which took place on 8 October 1990 at the Al-Haram Al-Shareef in Jerusalem, resulting in injuries and loss of human lives.

"Stressing the need to promote international protection to the Palestinian civilians in the occupied Palestinian territory,

"Recognizing the need for increased support to, aid for and solidarity with the Palestinian people under Israeli occupation,

"Having considered the recommendations contained in the reports of the Secretary-General, 2/

1/ United Nations, Treaty Series, vol. 75, No. 973.

2/ S/19443 and S/21919.

"Recalling its relevant resolutions as well as the relevant Security Council resolutions,

"1. Condemns those policies and practices of Israel, the occupying Power, which violate the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and, in particular, such acts as the opening of fire by the Israeli army and settlers that result in the killing and wounding of defenseless Palestinian civilians, the beating and breaking of bones, the deportation of Palestinian civilians, the imposition of restrictive economic measures, the demolition of houses, the ransacking of real or personal property belonging individually or collectively to private persons, collective punishment and detentions, and so forth;

"2. Demands that Israel, the occupying Power, abide scrupulously by the Geneva Convention relative to the Protection of Civilian Persons in Time of war, of 12 August 1949, 3/ and desist immediately from those policies and practices which are in violation of the provisions of the Convention;

"3. Calls upon all the High Contracting Parties to the Convention to ensure respect by Israel, the occupying Power, for the Convention in all circumstances, in conformity with their obligation under article 1 thereof;

"4. Strongly deplores the continuing disregard by Israel, the occupying Power, of the relevant decisions of the Security Council;

"5. Reaffirms that the occupation by Israel of the Palestinian territory since 1967, including Jerusalem, and of the other Arab territories, in no way changes the legal status of those territories;

"6. Requests the Security Council to examine with urgency the situation in the occupied Palestinian territory with a view to considering measures needed to provide international protection to the Palestinian civilians in the Palestinian territory occupied by Israel since 1967, including Jerusalem;

"7. Invites Member States, the organizations of the United Nations system, governmental, intergovernmental and non-governmental organizations, and the mass communications media to continue and enhance their support for the Palestinian people;

3/ United Nations, Treaty Series, vol. 75, No. 973.

"8. Requests the Secretary-General to examine the present situation in the Palestinian territory occupied since 1967, including Jerusalem, by all means available to him and to submit periodic reports thereon, the first such report as soon as possible."

V. GENERAL ASSEMBLY ADOPTS RESOLUTION ON SITUATION IN THE MIDDLE EAST

At its 67th plenary meeting, on 13 December 1990, the General Assembly adopted the following resolution:

45/83. The situation in the Middle East

A

"The General Assembly,

"Having discussed the item entitled "The situation in the Middle East",

"Reaffirming its resolutions 36/226 A and B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 F of 20 December 1982, 38/58 A to E of 13 December 1983, 38/180 A to D of 19 December 1983, 39/146 A to C of 14 December 1984, 40/168 A to C of 16 December 1985, 41/162 A to C of 4 December 1986, 42/209 A to D of 11 December 1987, 43/54 A to C of 6 December 1988 and 44/40 A to C of 4 December 1990,

"Recalling Security Council resolutions 425 (1978) of 19 March 1978, 497 (1981) of 17 December 1981, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982,659 (1990) of 31 July 1990, and other relevant resolutions,

"Taking note of the reports of the Secretary-General of 15 October 1990 1/, 12 November 1990 and 26 November 1990, 2/

"Reaffirming the need for continued collective support for the decisions adopted by the Twelfth Arab Summit Conference, held

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1/ A/45/595.

2/ A/45/709-S/21929 and A/45/726-S/21947.

at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982, 3/ which were confirmed by subsequent Arab summit conferences, including the Extraordinary Arab Summit Conference held at Casablanca, Morocco, from 23 to 26 May 1989,

"Reiterating its previous resolutions on the question of Palestine and its support for the Palestine Liberation Organization as the sole legitimate representative of the Palestinian people,

"Considering that the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, in accordance with General Assembly resolution 44/42 of 6 December 1989, and other resolutions related to the question of Palestine, would contribute to the promotion of peace in the region,

"Welcoming all efforts contributing towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace in the Middle East, in accordance with the United Nations resolutions relating to the question of Palestine and to the situation in the Middle East,

"Welcoming also the world-wide support extended to the just cause of the Palestinian people and the other Arab countries in their struggle against Israeli aggression and occupation in order to achieve a comprehensive, just and lasting peace in the Middle East and the full exercise by the Palestinian people of its inalienable national rights, as affirmed by previous resolutions of the General Assembly on the question of Palestine and on the situation in the Middle East,

"Gravely concerned that the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories still remain under Israeli occupation, that the relevant resolutions of the United Nations have not been implemented and that the Palestinian people is still denied the restoration of its land and the exercise of its inalienable national rights in conformity with international law, as reaffirmed by resolutions of the United Nations,

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3/ See A/37/696-S/15510, annex. For the printed text, see Official Records of the Security Council, Thirty-seventh Year, Supplement for October, November and December 1982, document S/15510, annex.

"Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 4/ to the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

"Reaffirming also all relevant United Nations resolutions which stipulate that the acquisition of territory by force is inadmissible under the Charter of the United Nations and the principles of international law and that Israel must withdraw unconditionally from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

"Reaffirming further the imperative necessity of establishing a comprehensive, just and lasting peace in the region, based on full respect for the Charter and the principles of international law,

"Gravely concerned also at the continuing Israeli policies involving the escalation and expansion of the conflict in the region, which further violate the principles of international law and endanger international peace and security,

"Stressing once again the great importance of the time factor in the endeavours to achieve an early comprehensive, just and lasting peace in the Middle East,

"1. Reaffirms its conviction that the question of Palestine is the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region will be achieved without the full exercise by the Palestinian people of its inalienable national rights and the immediate, unconditional and total withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories;

"2. Reaffirms further that a just and comprehensive settlement of the situation in the Middle East cannot be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization, the representative of the Palestinian people;

4/ United Nations, Treaty Series, vol. 75, No. 973.

"3. Declares once more that peace in the Middle East is indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem, under the auspices of the United Nations and on the basis of its relevant resolutions, which ensures the complete and unconditional withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, and which enables the Palestinian people, under the leadership of the Palestine Liberation Organization, to exercise its inalienable rights, including the right to return and the right to self-determination, national independence and the establishment of its independent sovereign State in Palestine, in accordance with the resolutions of the United Nations relating to the question of Palestine, in particular General Assembly resolutions ES-7/2 of 29 July 1980, 36/120 A to F of 10 December 1981, 37/86 A to D of 10 December 1982, 37/86 E of 20 December 1982, 38/58 A to E of 13 December 1983, 39/49 A to D of 11 December 1984, 40/96 A to D of 12 December 1985, 41/43 A to D of 2 December 1986, 42/66 A to D of 2 December 1987, 43/54 A to C of 6 December 1988, and 43/175 A to C, 43/176, 43/177 of 15 December 1988 and 44/42 of 6 December 1990;

"4. Considers the Arab peace plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982, 5/ which was confirmed by subsequent Arab summit conferences, including the Extraordinary Arab Summit Conference held at Casablanca, Morocco, from 23 to 26 May 1989, as well as relevant efforts and action to implement the Fez plan, as an important contribution towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace in the Middle East;

"5. Condemns Israel's continued occupation of the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, in violation of the Charter of the United Nations, the principles of international law and the relevant resolutions of the United Nations, and demands the immediate, unconditional and total withdrawal of Israel from all the territories occupied since 1967;

"6. Rejects all agreements and arrangements which violate the inalienable rights of the Palestinian people and contradict the principles of a just and comprehensive solution to the Middle East problem to ensure the establishment of a just peace in the area;

5/ A/37/696-S/15510, annex.

"7. Deplores Israel's failure to comply with Security Council resolutions 476 (1980) of 30 June 1980 and 478 (1980) of 20 August 1980 and General Assembly resolutions 35/207 of 16 December 1980 and 36/226 A and B of 17 December 1981; determines that Israel's decision to annex Jerusalem and to declare it as its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status are null and void and demands that they be rescinded immediately; and calls upon all Member States, the specialized agencies and all other international organizations to abide by the present resolution and all other relevant resolutions and decisions;

"8. Condemns Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territory and outside this territory, including expropriation, establishment of settlements, annexation and other terrorist, aggressive and repressive measures, which are in violation of the Charter and the principles of international law and the relevant international conventions;

"9. Strongly condemns the imposition by Israel of its laws, jurisdiction and administration on the occupied Syrian Arab Golan, its annexationist policies and practices, the establishment of settlements, the confiscation of lands, the diversion of water resources and the imposition of Israeli citizenship on Syrian nationals, and declares that all these measures are null and void and constitute a violation of the rules and principles of international law relative to belligerent occupation, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949; 6/

"10. Considers that the agreements on strategic co-operation between United States of America and Israel, signed on 30 November 1981, and the continued supply of modern arms and matériel to Israel, augmented by substantial economic aid, including the Agreement on the Establishment of a Free Trade Area between the two Governments, have encouraged Israel to pursue its aggressive and expansionist policies and practices in the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, and have had adverse effects on efforts for the establishment of a comprehensive, just and lasting peace in the Middle East and pose a threat to the security of the region;

6/ United Nations, Treaty Series, vol. 75, No. 973.

"11. Calls once more upon all States to put an end to the flow to Israel of any military, economic, financial and technological aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people;

"12. Strongly condemns the continuing and increasing collaboration between Israel and the racist régime of South Africa, especially in the economic, military and nuclear fields, which constitutes a hostile act against the African and Arab States and enables Israel to enhance its nuclear capabilities, thus subjecting the States of the region to nuclear blackmail;

"13. Reaffirms its call for convening the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of the five permanent members of the Security Council and all parties to the conflict, including the Palestine Liberation Organization, the sole legitimate representative of the Palestinian people on an equal footing, and that the Conference should be effective with full authority, in order to achieve a comprehensive and just solution based on the withdrawal of Israel from the occupied Palestinian territory, including Jerusalem, and the other occupied Arab territories, and the attainment of the inalienable rights of the Palestinian people in accordance with the United Nations resolutions relevant to the question of Palestine and the situation in the Middle East;

"14. Endorses the call for setting up a preparatory committee, within the framework of the Security Council, with the participation of the permanent members of the Council, to take the necessary action to convene the Conference;

"15. Requests the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the General Assembly at its forty-sixth session a comprehensive report covering the developments in the Middle East in all their aspects."

B

"The General Assembly,

"Having discussed the item entitled 'The situation in the Middle East',

"Taking note of the report of the Secretary-General of 15 October 1990, 1/

1/ A/45/595.

"Recalling Security Council resolution 497 (1981) of 17 December 1981,

"Reaffirming its resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 A of 16 December 1982, 38/180 A of 19 December 1983, 39/146 B of 14 December 1984, 40/168 B of 16 December 1985, 41/162 B of 4 December 1986, 42/209 C of 11 December 1987, 43/54 B of 6 December 1988 and 44/40 of 4 December 1989,

"Recalling its resolution 3314 (XXIX) of 14 December 1974, in which it defined an act of aggression, inter alia, as 'the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof' and provided that 'no consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression',

"Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force,

"Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/ to the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

"Noting that Israel's record, policies and actions establish conclusively that it is not a peace-loving Member State and that it has not carried out its obligations under the Charter of the United Nations,

"Noting also that Israel has refused, in violation of Article 25 of the Charter, to accept and carry out the numerous relevant decisions of the Security Council, in particular resolution 497 (1981), thus failing to carry out its obligations under the Charter,

"1. Strongly condemns Israel for its failure to comply with Security Council resolution 497 (1981) and General Assembly resolutions 36/226 B, ES-9/1, 37/123 A, 38/180 A, 39/146 B, 40/168 B, 41/162 B, 42/209 C, 43/54 B and 44/40 B;

2/ United Nations, Treaty Series, vol. 75, No. 973.

"2. Declares once more that Israel's continued occupation of the Syrian Arab Golan and its decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan constitute an act of aggression under the provisions of Article 39 of the Charter of the United Nations and General Assembly resolution 3314 (XXIX);

"3. Declares once more that Israel's decision to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan is illegal and therefore null and void and has no validity whatsoever;

"4. Declares all Israeli policies and practices of, or aimed at, annexation of the Palestinian territory occupied since 1967, including Jerusalem, and of the other occupied Arab territories to be illegal and in violation of international law and of the relevant United Nations resolutions;

"5. Determines once more that all actions taken by Israel to give effect to its decision relating to the occupied Syrian Arab Golan are illegal and invalid and shall not be recognized;

"6. Reaffirms its determination that all relevant provisions of the Regulations annexed to the Hague Convention IV of 1907 3/ and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under these instruments in all circumstances;

"7. Determines once more that the continued occupation of the Syrian Arab Golan since 1967 and its annexation by Israel on 14 December 1981, following Israel's decision to impose its laws, jurisdiction and administration on that territory, constitute a continuing threat to international peace and security;

"8. Strongly deplores the negative vote by a permanent member of the Security Council which prevented the Council from adopting against Israel, under Chapter VII of the Charter, the 'appropriate measures' referred to in resolution 497 (1981) unanimously adopted by the Council;

3/ See Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915).

"9. Further deplores any political, economic, financial, military and technological support to Israel that encourages it to commit acts of aggression and to consolidate and perpetuate its occupation and annexation of the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories;

"10. Firmly emphasizes once more its demand that Israel, the occupying Power, rescind forthwith its illegal decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Arab Golan, which resulted in the effective annexation of that territory;

"11. Reaffirms once more the overriding necessity of the total and unconditional withdrawal by Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, which is an essential prerequisite for the establishment of a comprehensive and just peace in the Middle East;

"12. Determines once more that Israel's record, policies and actions confirm that it is not a peace-loving Member State, that it has persistently violated the principles contained in the Charter and that it has carried out neither its obligations under the Charter nor its commitment under General Assembly resolution 273 (III) of 11 May 1949;

"13. Calls upon all Member States to put an end to the flow to Israel of any military, economic, financial and technological aid, as well as human resources, aimed at prolonging Israeli occupation of the Arab territories or encouraging Israel to pursue its aggressive policy against the Arab countries and the Palestinian people;

"14. Urges non-member States to act in accordance with the provisions of the present resolution;

"15. Calls upon the specialized agencies and other international organizations to conform their relations with Israel to the terms of the present resolution;

"16. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution."

C

"The General Assembly,

"Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987, 43/54 C of 6 December 1988 and 44/40 C of 4 December 1989, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called 'Basic Law' on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

"Recalling Security Council resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the 'Basic Law' and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

"Having considered the report of the Secretary-General of 15 October 1990, 1/

"1. Determines that Israel's decision to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

"2. Deplores the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and their refusal to comply with the provisions of that resolution;

"3. Calls once more upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

"4. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution."

1/ A/45/595.

VI. GENERAL ASSEMBLY ADOPTS RESOLUTION ON ISRAELI PRACTICES IN THE OCCUPIED TERRITORIES

At its 65th plenary meeting on 11 December 1990, the General Assembly adopted the following resolution:

45/74. Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

A

"The General Assembly,

"Guided by the purposes and principles of the Charter of the United Nations and by the principles and provisions of the Universal Declaration of Human Rights, 1/

"Aware of the uprising (intifadah) of the Palestinian people since 9 December 1987 against Israeli occupation, which has received significant attention and sympathy from world public opinion,

"Deeply concerned at the alarming situation in the Palestinian territory occupied since 1967, including Jerusalem, as well as in the other occupied Arab territories, as a result of their continued occupation by Israel, the occupying Power, and of its persistent policies against the Palestinian people,

"Bearing in mind the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/ as well as of other relevant conventions and regulations,

"Taking into account the need to consider measures for the impartial protection of the Palestinian people under Israeli occupation,

"Recalling the relevant resolutions of the Security Council, in particular resolutions 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989, 641 (1989) of 30 August 1989, 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990,

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1/ Resolution 217 A (III).

2/ United Nations, Treaty Series, vol. 75, No. 973.

"Recalling also all its resolutions on the subject, in particular resolutions 32/91 B and C of 13 December 1977, 33/113 C of 18 December 1978, 34/90 A of 12 December 1979, 35/122 C of 11 December 1980, 36/147 C of 16 December 1981, ES-9/1 of 5 February 1982, 37/88 C of 10 December 1982, 38/79 D of 15 December 1983, 39/95 D of 14 December 1984, 40/161 D of 16 December 1985, 41/63 D of 3 December 1986, 42/160 D of 8 December 1987, 43/21 of 3 November 1988, 43/58 A of 6 December 1988, 44/2 of 6 October 1989 and 44/48 A of 8 December 1989,

"Recalling further the relevant resolutions adopted by the Commission on Human Rights, in particular its resolutions 1983/1 of 15 February 1983, 3/ 1984/1 of 20 February 1984, 4/ 1985/1 A and B and 1985/2 of 19 February 1985, 5/ 1986/1 A and B and 1986/2 of 20 February 1986, 6/ 1987/1, 1987/2 A and B and 1987/4 of 19 February 1987, 7/ 1988/1 A and B and 1988/2 of 15 February 1988 and 1988/3 of 22 February 1988, 8/ 1989/1 of 17 February 1989, 1989/2 of 17 February 1989 and 1989/19 of 6 March 1989, 9/ 1990/1 of 16 February 1990, 1990/2 of 16 February 1990, 1990/3 of 16 February 1990 and 1990/6 of 19 February 1990, 10/

3/ Official Records of the Economic and Social Council, 1983, Supplement No. 3 (E/1983/13 and Corr.1), chap. XXVII, sect. A.

4/ Ibid., 1984, Supplement No. 4 (E/1984/14 and Corr. 1), chap. II, sect. A.

5/ Ibid., 1985, Supplement No. 2 (E/1985/22), chap. II, sect. A.

6/ Ibid., 1986, Supplement No. 2 (E/1986/22), chap. II, sect. A.

7/ Ibid., 1987, Supplement No. 5 (E/1987/18 and Corr.1 and 2), chap. II, sect. A.

8/ Official Records of the Economic and Social Council, 1988, Supp. No. 2 (E/1988/12) chap. II, sect. A.

9/ Ibid., 1989, Supplement No. 2 (E/1989/20), chap. II, sect. A

10/ Ibid., 1990, Supplement No. 2 (E/1990/94), chap. II, sect. A.

"Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, 11/ which contain, inter alia, self-incriminating public statements made by officials of Israel, the occupying Power,

"Having also considered the relevant reports of the Secretary-General, 12/

"1. Commends the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

"2. Deplores the continued refusal by Israel to allow the Special Committee access to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

"3. Demands that Israel allow the Special Committee access to the occupied territories;

"4. Reaffirms the fact that occupation itself constitutes a grave violation of the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

"5. Condemns the continued and persistent violation by Israel of the Geneva Convention relative to the protection of Civilian Persons in Time of War, of 12 August 1949, 13/ and other applicable international instruments, and condemns in particular those violations which the Convention designates as 'grave breaches' thereof;

"6. Declares once more that Israel's grave breaches of that Convention are war crimes and an affront to humanity;

11/ A/45/84, A/45/306 and A/45/576.

12/ S/19443, S/21919 and Corr. 1 and A/45/608.

13/ United Nations, Treaty Series, vol. 75, No. 973.

"7. Reaffirms, in accordance with the Convention, that the Israeli military occupation of the Palestinian territory, including Jerusalem, and other Arab territories is of a temporary nature, thus giving no right whatsoever to the occupying Power over the territorial integrity of the occupied territories;

"8. Strongly condemns the following Israeli policies and practices:

(a) Annexation of parts of the occupied Palestinian territory, including Jerusalem;

(b) Imposition of Israeli laws, jurisdiction and administration on the Syrian Arab Golan, which has resulted in the effective annexation of that territory;

(c) Illegal imposition and levy of taxes and dues;

(d) Establishment of new Israeli settlements and expansion of the existing ones on private and public Palestinian and other Arab lands, and transfer of an alien population thereto;

(e) Eviction, deportation, expulsion, displacement and transfer of Palestinians and other Arabs from the occupied territories and denial of their right to return;

(f) Confiscation and expropriation of private and public Palestinian and other Arab property in the occupied territories and all other transactions for the acquisition of land by Israeli authorities, institutions or nationals;

(g) Excavation and transformation of the landscape and the historical, cultural and religious sites, especially at Jerusalem;

(h) Pillaging of archaeological and cultural property;

(i) Destruction and demolition of Palestinian and other Arab houses;

(j) Collective punishment, mass arrests, administrative detention and ill-treatment of Palestinians and other Arabs;

(k) Torture of Palestinians and other Arabs;

(l) Interference with religious freedoms and practices, as well as family rights and customs;

(m) Interference with the system of education and with the social and economic development and health of the Palestinians and other Arabs in the occupied territories;

(n) Interference with the freedom of movement of individuals within the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

(o) Illegal exploitation of the natural wealth, resources and labour of the occupied territories;

"9. Also strongly condemns, in particular, the following Israeli policies and practices:

(a) Implementation of an 'iron-fist' policy against the Palestinian people in the occupied Palestinian territory;

(b) Escalation of Israeli brutality since the beginning of the uprising (intifadah) on 9 December 1987;

(c) Ill-treatment and torture of children and minors under detention and/or imprisonment;

(d) Closure of headquarters and offices of trade unions and social organizations and harassment of their leaders, including through expulsion, as well as attacks on hospitals and their personnel;

(e) Interference with the freedom of the press, including censorship, detention or expulsion of journalists, closure and suspension of newspapers and magazines, as well as denial of access to international media;

(f) Killing and wounding of defenseless demonstrators;

(g) Breaking of bones and limbs of thousands of civilians;

(h) House and/or town arrests;

(i) Use of toxic gas, which has resulted, inter alia, in the killing of many Palestinians;

"10. Condemns the Israeli repression against and closing of the educational institutions in th occupied Syrian Arab Golan, particularly prohibiting Syrian textbooks and the Syrian educational system, preventing Syrian students from pursuing their higher education in Syrian universities, denying the right of return to Syrian students receiving their higher education in

the Syrian Arab Republic, forcing Hebrew on Syrian students, imposing courses that promote hatred, prejudice and religious intolerance, and dismissing teachers, all in clear violation of the Fourth Geneva Convention;

"11. Strongly condemns the arming of Israeli settlers in the occupied territories to perpetrate and commit acts of violence against Palestinians and other Arabs, causing deaths and injuries;

"12. Requests the Security Council to ensure Israel's respect for and compliance with all the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and to initiate measures to halt Israeli policies and practices in those territories;

"13. Urges the Security Council to consider the current situation in the Palestinian territory occupied by Israel since 1967, taking into account the recommendations contained in the reports of the Secretary-General, and with a view to securing international protection for the defenseless Palestinian people until the withdrawal of Israel, the occupying Power, from the occupied Palestinian territory;

"14. Reaffirms that all measures taken by Israel to change the physical character, demographic composition, institutional structure or legal status of the occupied territories, or any part thereof, including Jerusalem, are null and void, and that Israel's policy of settling parts of its population and new immigrants in those occupied territories constitutes a flagrant violation of the Fourth Geneva Convention and of the relevant resolutions of the United Nations;

"15. Demands that Israel desist forthwith from the policies and practices referred to in paragraphs 8, 9, 10 and 11 above;

"16. Calls upon Israel, the occupying Power, to allow the reopening of the Roman Catholic Medical Facility Hospice at Jerusalem in order to continue to provide needed health and medical services to the Palestinians in the city;

"17. Also calls upon Israel, the occupying Power, to take immediate steps for the return of all displaced Arab and Palestinian inhabitants to their homes or former places of residence in the territories occupied by Israel since 1967, in implementation of Security Council resolution 237 (1967) of 14 June 1967;

"18. Urges international organizations, including the specialized agencies, in particular the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization and the World Health Organization, to continue to examine the educational and health conditions in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

"19. Reiterates its call upon all States, in particular those States parties to the Fourth Geneva Convention, in accordance with article 1 of that Convention, and upon international organizations, including the specialized agencies, not to recognize any changes carried out by Israel, the occupying Power, in the occupied territories and to avoid actions, including those in the field of aid, that might be used by Israel in its pursuit of the policies of annexation and colonization or any of the other policies and practices referred to in the present resolution;

"20. Requests the Special Committee, pending early termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, to consult, as appropriate, with the International Committee of the Red Cross in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

"21. Also requests the Special Committee to submit regularly to the Secretary-General periodic reports on the present situation in the occupied Palestinian territory;

"22. Further requests the Special Committee to continue to investigate the treatment of prisoners in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

"23. Condemns Israel's refusal to permit persons from the occupied Palestinian territory to appear as witnesses before the Special Committee and to participate in conferences and meetings held outside the occupied Palestinian territory;

"24. Requests the Secretary-General:

(a) To provide all necessary facilities to the Special Committee, including those required for its visits to the

occupied territories, so that it may investigate the Israeli policies and practices referred to in the present resolution;

(b) To continue to make available such additional staff as may be necessary to assist the Special Committee in the performance of its tasks;

(c) To circulate regularly and periodically the reports mentioned in paragraph 21 above to the States Members of the United Nations;

(d) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee which are no longer available;

(e) To report to the General Assembly at its forty-sixth session on the tasks entrusted to him in the present resolutions;

"25. Decides to include in the provisional agenda of its forty-sixth session the item entitled 'Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories'."

B

"The General Assembly,

"Recalling Security Council resolution 465 (1980) of 1 March 1980, in which, inter alia, the Council affirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 14/ is applicable to the Arab territories occupied by Israel since 1967, including Jerusalem,

"Recalling also Security Council resolutions 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990,

"Recalling further its resolutions 3092 A (XXVIII) of 7 December 1973, 3240 B (XXIX) of 29 November 1974, 3525 B (XXX) of 15 December 1975, 31/106 B of 16 December 1976, 32/91 A of 13 December 1977, 33/113 A of 18 December 1978, 34/90 B of 12 December 1979, 35/122 A of 11 December 1980, 36/147 A of 16 December 1981, 37/88 A of 10 December 1982, 38/79 B of 15 December 1983, 39/95 B of 14 December 1984, 40/161 B of 16 December 1985, 41/63 B of 3 December 1986, 42/160 B of 8 December 1987, 43/58 B of 6 December 1988 and 44/48 B of 8 December 1989,

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14/ United Nations, Treaty Series, vol. 75, No. 973.

"Taking note of the relevant reports of the Secretary-General, 15/

"Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

"Bearing in mind the provisions of the Fourth Geneva Convention,

"Noting that Israel and the concerned Arab States whose territories have been occupied by Israel since June 1967 are parties to that Convention,

"Taking into account that States parties to the Fourth Geneva Convention undertake, in accordance with article 1 thereof, not only to respect but also to ensure respect for the Convention in all circumstances,

"1. Reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 16/ is applicable to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

"2. Condemns once again the failure of Israel, the occupying Power, to acknowledge the applicability of the Fourth Geneva Convention to the territories it has occupied since 1967, including Jerusalem;

"3. Strongly demands that Israel accept the de jure applicability of the Fourth Geneva Convention and comply with its provisions in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

"4. Urgently calls upon all States parties to the Fourth Geneva Convention to exert all efforts in order to ensure respect for and compliance with its provisions in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

"5. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution."

15/ S/19443, S/21919 and Corr.1 and A/45/609.

16/ United Nations, Treaty Series, vol. 75, No. 973.

C

"The General Assembly,

"Recalling Security Council resolutions 465 (1980) of 1 March 1980, 605 (1987) of 22 December 1987, 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990,

"Recalling also its resolutions 32/5 of 28 October 1977, 33/113 B of 18 December 1978, 34/90 C of 12 December 1979, 35/122 B of 11 December 1980, 36/147 B of 16 December 1981, 37/88 B of 10 December 1982, 38/79 C of 15 December 1983, 39/95 C of 14 December 1984, 40/161 C of 16 December 1985, 41/63 C of 3 December 1986, 42/160 C of 8 December 1987, 43/58 C of 6 December 1988 and 44/48 C of 8 December 1989,

"Expressing grave anxiety and concern at the serious situation prevailing in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, as a result of the continued Israeli occupation and the measures and actions taken by Israel, the occupying Power, designed to change the legal status, geographical nature and demographic composition of those territories,

"Taking note of the relevant reports of the Secretary-General, 17/

"Confirming that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 18/ is applicable to all occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

"1. Determines that all such measures and actions taken by Israel in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967 are in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 19/ constitute a serious obstacle to the efforts to achieve a comprehensive, just and lasting peace in the Middle East and therefore have no legal validity;

17/ S/19443, S/21919 and Corr.1 and A/45/610.

18/ United Nations, Treaty Series, vol. 75, No. 973.

19/ Ibid.

"2. Strongly deplores the persistence of Israel in carrying out such measures, in particular the establishment of settlements in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

"3. Demands that Israel comply strictly with its international obligations in accordance with the principles of international law and the provisions of the Fourth Geneva Convention;

"4. Demands once more that Israel, the occupying Power, desist forthwith from taking any action that would result in changing the legal status, geographical nature or demographic composition of the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

"5. Urgently calls upon all States parties to the Fourth Geneva Convention to respect and to exert all efforts in order to ensure respect for and compliance with its provisions in all occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

"6. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution."

D

"The General Assembly,

"Recalling Security Council resolution 605 (1987) of 22 December 1987,

"Recalling its resolutions 38/79 A of 15 December 1983, 39/95 A of 14 December 1984, 40/161 A of 16 December 1985, 41/63 A of 3 December 1986, 42/160 A of 8 December 1987, 43/21 of 3 November 1988, 43/58 D of 6 December 1988, 44/2 of 6 October 1989 and 44/48 D of 8 December 1989,

"Taking note of the reports 20/ of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,

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20/ A/45/84, A/45/306 and A/45/576.

"Taking note also of the relevant reports of the Secretary-General, 21/

"1. Deplores the arbitrary detention or imprisonment by Israel of thousands of Palestinians as a result of their resistance against occupation in order to attain self-determination;

"2. Calls upon Israel, the occupying Power, to release all Palestinians and other Arabs arbitrarily detained or imprisoned;

"3. Requests the Secretary-General to report to the General Assembly as soon as possible but not later than the beginning of the forty-sixth session on the implementation of the present resolution."

E

"The General Assembly,

"Recalling Security Council resolutions 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989, 641 (1989) of 30 August 1989, 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990,

"Taking note of the relevant reports of the Secretary-General, 22/

"Alarmed by the continuing deportation of Palestinians from the occupied Palestinian territory by the Israeli authorities,

"Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 23/ in particular article 1 and the first paragraph of article 49, which read as follows:

21/ S/19443, S/21919 and Corr.1 and A/45/611.

22/ S/19443, S/21919 and Corr.1 and A/45/612.

23/ United Nations, Treaty Series, vol. 75, No. 973.

"Article 1

"The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances."

"Article 49

'Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive ...',

"Reaffirming the applicability of the Fourth Geneva Convention to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

"1. Strongly deplores the continuing disregard by Israel, the occupying Power, of the relevant resolutions and decisions of the Security Council and resolutions of the General Assembly;

"2. Demands that the Government of Israel, the occupying Power, rescind the illegal measures taken by its authorities in deporting Palestinians and that it facilitate their immediate return;

"3. Calls upon Israel, the occupying Power, to cease forthwith the deportation of Palestinians and to abide scrupulously by the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949; 24/

"4. Requests the Secretary-General to report to the General Assembly as soon as possible but not later than the beginning of its forty-sixth session on the implementation of the present resolution."

F

"The General Assembly,

"Deeply concerned that the Arab territories occupied since 1967 have been under continued Israeli military occupation,

"Recalling Security Council resolution 497 (1981) of 17 December 1981,

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24/ United Nations, Treaty Series, vol. 75, No. 973.

"Recalling also its resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/88 E of 10 December 1982, 38/79 F of 15 December 1983, 39/95 F of 14 December 1984, 40/161 F of 16 December 1985, 41/63 F of 3 December 1986, 42/160 F of 8 December 1987, 43/21 of 3 November 1988, 43/58 F of 6 December 1988, 44/2 of 6 October 1989 and 44/48 F of 8 December 1989,

"Having considered the report of the Secretary-General of 15 October 1990, 25/

"Recalling its previous resolutions, in particular resolutions 3414 (XXX) of 5 December 1975, 31/61 of 9 December 1976, 32/20 of 25 November 1977, 33/28 and 33/29 of 7 December 1978, 34/70 of 6 December 1979 and 35/122 E of 11 December 1980, in which inter alia, it called upon Israel to put an end to its occupation of the Arab territories and to withdraw from all those territories,

"Reaffirming once more the illegality of Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Arab Golan, which has resulted in the effective annexation of that territory,

"Reaffirming that the acquisition of territory by force is inadmissible under the Charter of the United Nations and that all territories thus occupied by Israel must be returned,

"Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 26/

"Reaffirming the applicability of the Fourth Geneva Convention to the occupied Syrian Arab Golan,

"Bearing in mind Security Council resolution 237 (1967) of 14 January 1967,

"1. Strongly condemns Israel, the occupying Power, for its refusal to comply with the relevant resolutions of the General Assembly and the Security Council, particularly Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan was null and void and without international legal effect and demanded that Israel, the occupying Power, should rescind forthwith its decision;

25/ A/45/613.

26/ United Nations, Treaty Series, vol. 75, No. 973.

"2. Condemns the persistence of Israel in changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Arab Golan;

"3. Determines that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the Syrian Arab Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 27/ and have no legal effect;

"4. Strongly condemns Israel for its attempts forcibly to impose Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Arab Golan, and calls upon it to desist from its repressive measures against the population of the Syrian Arab Golan;

"5. Deplores the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

"6. Calls once again upon Member States not to recognize any of the legislative or administrative measures and actions referred to above;

"7. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution."

G

"The General Assembly,

"Bearing in mind the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 28/

"Deeply concerned at the continued and intensified harassment by Israel, the occupying Power, directed against educational institutions in the occupied Palestinian territory,

"Recalling Security Council resolutions 605 (1987) of 22 December 1987, 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990,

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27/ United Nations, Treaty Series, vol. 75, No. 973.
28/ ibid.

"Recalling its resolutions 38/79 G of 15 December 1983, 39/95 G of 14 December 1984, 40/161 G of 16 December 1985, 41/63 G of 3 December 1986, 42/160 G of 8 December 1987, 43/21 of 3 November 1988, 43/58 G of 6 December 1988, 44/2 of 6 October 1989 and 44/48 G of 8 December 1989,

"Taking note of the relevant reports of the Secretary-General, 29/

"Taking note also of the relevant decisions adopted by the Executive Board of the United Nations Educational, Scientific and Cultural Organization concerning the educational and cultural situation in the occupied Palestinian territory,

"1. Reaffirms the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 30/ to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

"2. Condemns Israeli policies and practices against Palestinian students and faculty members in schools, universities and other educational institutions in the occupied Palestinian territory, especially the opening of fire on defenseless students, causing many casualties;

"3. Also condemns the systematic Israeli campaign of repression against the closing of universities, schools and other educational and vocational institutions in the occupied Palestinian territory, in large numbers and for prolonged periods, restricting and impeding the academic activities of Palestinian universities by subjecting the selection of courses, textbooks and educational programmes, the admission of students and the appointment of faculty members to the control and supervision of the military occupation authorities, in flagrant contravention of the Fourth Geneva Convention;

"4. Demands that Israel, the occupying Power, comply with the provisions of that Convention, rescind all actions and measures taken against all educational institutions, ensure the freedom of those institutions and refrain forthwith from hindering the effective operation of the universities, schools and other educational institutions;

29/ S/19443, S/21919 and Corr.1 and A/45/614.

30/ United Nations Treaty Series, vol. 75, No. 973.

"5. Requests the Secretary-General to report to the General Assembly as soon as possible but not later than the beginning of its forty-sixth session on the implementation of the present resolution."

VII. PRESIDENT OF GENERAL ASSEMBLY TO VISIT PALESTINE REFUGEES IN JANUARY

The following information was issued by the spokesman for the President of the General Assembly on 7 December 1990:

"Guido de Marco (Malta), President of the forty-fifth session of the General Assembly, will visit Palestine refugee camps in Jordan and the occupied Arab territories early in the new year.

"The visit will permit the President to see first hand the conditions faced by those living in the camps and to personally express to them the support of the General Assembly and concern for their plight. It is believed to be the first such visit ever made by an Assembly President.

"The idea for the tour originated in discussions in October between the President and Giorgio Giacomelli, head of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) which, under the authority of the General Assembly, provides vital services to the refugees. Mr. Giacomelli said the visit would provide an opportunity to show the President how UNRWA is meeting the formidable challenges facing it in carrying out its Assembly mandate.

"The President is likely to have official meetings in Israel and in Jordan in the course of the visit. Further details will be announced as the itinerary is firmed up."
(see GA/8142-PAL/1741)

VIII. MEMBERS OF THE ORGANIZATION OF THE ISLAMIC CONFERENCE AT THE UNITED NATIONS ISSUE COMMUNIQUE ON THE SITUATION IN JERUSALEM

On 14 December 1990, members of the Organization of the Islamic Conference at the United Nations issued the following communiqué:

"The members of the Organization of the Islamic Conference at the United Nations, at their meeting on 14 December 1990, expressed their grave concern regarding the recurrent attempt by some Jewish elements to desecrate the Holy Sites in Jerusalem, the most recent example of which was the Israeli violence that took place on 8 October at the Haram al-Sharif in Jerusalem and resulted in over 20 Palestinian deaths and in the injury of more than 150 Palestinian civilians.

"The meeting reaffirmed its condemnation of the acts of violence committed by the Israeli occupation forces, which have resulted in these injuries and loss of human life.

"It further reaffirmed that the recurrence of such acts would be a blatant violation of international law, as well as an affront to the universal position of the world community recently reaffirmed in United Nations resolutions. It called upon Israel, the occupying Power, to abide scrupulously by its legal obligations and responsibilities under the Fourth Geneva Convention, which is applicable to all Palestinian territory occupied by Israel since 1967, including Jerusalem, as well as other Arab territories occupied by Israel since then.

"The meeting strongly reaffirmed its firmest rejection of all attempts to change the status or character of the Holy City of Jerusalem, and considers all such attempts and measures taken by Israel as null and void.

"In this connection, it called upon the international community to remain forceful and resolute in its position regarding the status of Jerusalem, as reflected in Security Council resolutions 476 (1980) and 478 (1980).

"On this occasion, the members of the Organization of the Islamic Conference at the United Nations expressed their sincere appreciation to those delegations which adopted positions and expressed opinions unequivocally reaffirming the international consensus on the status of Jerusalem, and which are actively seeking to reinforce the international community's resolve in this regard." (see A/45/887-S/22017)

IX. UNRWA PROTESTS ASSAULTS ON ITS STAFF BY ISRAELI BORDER POLICE

The following press release was issued by UNRWA on 7 December 1990:

"The Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), Giorgio Giacomelli, made a démarche with the Permanent Representative of Israel to the United Nations in Vienna today regarding a series of incidents in Khan Younis refugee camp in the Gaza Strip on 6 December in which UNRWA staff members were physically abused by the Israeli border police.

"The incidents occurred after UNRWA Refugee Affairs Officers inquired about the arrest and beating of a Palestinian youth. One international staff member was shot at with blank ammunition, another sustained a fractured thumb when hit by a rock and the third was struck in the chest with a rifle butt.

"International witnesses confirmed that the rock was thrown by a border policeman contrary to the reports in the Israeli press that a Palestinian was responsible for the injury.

"Khan Younis refugee camp was the scene of an earlier assault on an UNRWA Refugee Affairs Officer on 18 October when plastic-covered metal bullets were fired, at short range, at his car, wounding his assistant.

"UNRWA's Field Office in Gaza has protested these incidents to the Israeli Civil Administration." (see PAL/1742)

X. NON-GOVERNMENTAL ORGANIZATIONS: ACTIVITIES AND INFORMATION

In the course of December, the following information was received by the Division for Palestinian Rights:

1. HADAF Newsletter, twenty-third issue, available from: Al-Hadaf Cultural Foundation, P.O. Box 169, 300010 UMM El Fahn, Israel.

2. Newsletter of the Committee for Israeli-Palestinian Dialogue Founded by Israelis of Oriental Origin, available from: P.O. Box 20373, Tel Aviv, Israel, 61204.

3. Middle East Witness, newsletter available from: 515 Broadway, Santa Cruz, CA 95060, United States of America.

4. Palestine Focus, national newspaper of the Palestine Solidarity Committee, available from: P.O. Box 27462, San Francisco, CA 94127, United States of America.

5. The Other Front, weekly bulletin on development in Israeli society, available from: The Alternative Information Centre, P.O. Box 24278, Jerusalem.

6. Newsletter on Freedom of the Press, issued monthly by the Forum of Action for Freedom of the Press and the Re-opening of Derech Hanitzotz/Tariq Al Sharana. Available from: P.O. Box 1575, Jerusalem.

7. Palestine Focus, national newspaper of the Palestine Solidarity Committee, available from: P.O. Box 27462, San Francisco, CA 94127, United States of America.

8. WAFA, publication of Palestine News Agency Inc., available from: National Press Building, Suite 1265, 529 14th St., N.W., Washington, D.C. 20045, United States of America.

9. Another Viewpoint, commentary available from: AVP, 604 Barbera Place, Davis, CA 95616, United States of America.

10. Middle East International, bi-monthly publication available from: P.O. Box 53365, Temple Heights Station, Washington, D.C. 20009, or 31 Collingham Road, London SW5 ONU.

11. The Washington Report on Middle East Affairs, monthly publication available from: P.O. Box 53062, Washington, D.C. 20009, United States of America.

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